

**ENTERED**

November 12, 2015

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

## GALVESTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. G-15-23
	§	
ADAM VARGAS	§	

**ORDER OF DETENTION PENDING TRIAL**

On November 12, 2015, this Court conducted a Hearing on the Government's Motion to Detain **Adam Vargas**, the named Defendant in the above-styled and numbered cause. The Government appeared by attorney and announced ready; the Defendant appeared in person and by Court-appointed counsel and announced ready. The Government offered the testimony of F.B.I Agent Richard Rennison; the Defendant did not offer any evidence. The Court also made the Pretrial Services report, which recommended detention, a part of the record. Having now considered all of the evidence the Court issues the following findings of facts and conclusions of law:

1. That pursuant to the Indictment there is probable cause to believe that **Vargas** has committed, *inter alia*, the felony offenses of distribution and receipt of child pornography in violation of 18 U.S.C. §2252A(a)(2)(B);
2. That by virtue of the foregoing finding a rebuttable presumption was created in favor of **Vargas's** detention, 18 U.S.C. §3142(e)(3)(E);

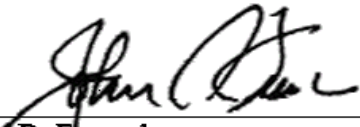
3. That the strength of the Government's case is substantial given Vargas's confession that he knowingly distributed and received child pornography through the use of his cell phone and the recovery of over 3000 images and 1000 videos of child pornography from his cell phone;
4. That prior to Vargas's arrest in this case he was simultaneously convicted of two state felonies for aggravated sexual assault of a child and sentenced to concurrent 10 year prison terms.
5. That **Vargas** has failed to rebut the presumption for detention created by 18 U.S.C. §3142(e)(3)(E);
6. That by virtue of the foregoing findings **Vargas** would constitute a danger to the community if released; and
7. That the credible evidence and information submitted establishes by clear and convincing evidence that there is no condition or combination of conditions which could be imposed upon **Vargas** by this Court to reasonably assure his appearance as required and the safety of any other person and the community if he were released.

It is, therefore, **ORDERED** that **Adam Vargas** be, and he is hereby, **COMMITTED** to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

It is further **ORDERED** that **Adam Vargas** **SHALL** be afforded a reasonable opportunity for private consultation with defense counsel.

It is further **ORDERED** that upon Order of a Court of the United States or upon request of an attorney for the Government, the person in charge of the corrections facility **SHALL** deliver **Adam Vargas** to the United States Marshal for the purpose of an appearance in connection with a Court proceeding.

**DONE** at Galveston, Texas this 12th day of November, 2015.

  
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John R. Froeschner  
United States Magistrate Judge